

SENATE BILL NO. 476

BY SENATORS CAIN, ADLEY, BARHAM, BROOME, CHEEK, CRAVINS,  
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N. GAUTREAUX, JONES, KOSTELKA, LENTINI, MALONE,  
MICHOT, MOUNT, NEVERS, QUINN, ROMERO, SCHEDLER,  
SHEPHERD, SMITH, THEUNISSEN AND ULLO AND  
REPRESENTATIVE BAUDOUIN

AN ACT

To enact Chapter 32 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised  
of R.S. 25:1280 through 1283, relative to the religious history of America and of the  
state of Louisiana as background of American and Louisiana law; to authorize the  
state archives and records service within the office of the secretary of state to  
produce certain documents; to distribute certain documents to state offices, judges  
and clerks of court and local government entities; to authorize court houses and local  
buildings to post certain documents relative to the history of that heritage; to provide  
for the production of documents by members of the public; and to provide for related  
matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Chapter 32 of Title 25 of the Louisiana Revised Statutes of 1950, to be  
comprised of R.S. 25:1280 through 1283 is hereby enacted to read as follows:

**CHAPTER 32. DISPLAY OF RELIGIOUS DOCUMENTS**

**AS HISTORY OF LAW**

**§1280. Legislative finding**

**The Legislature of Louisiana finds that:**

**(1) There is a need to educate and inform the public as to the history and  
background of American and Louisiana law.**

**(2) America and Louisiana's religious history plays an important role  
in the background of our American and Louisiana law.**

**(3) The role of religion in the constitutional history of both America and  
Louisiana is acknowledged by historians.**

1                   (4) The basic knowledge of American legal history is important to the  
2                   formation of civic virtue in our society.

3                   (5) The courts have provided vital direction to the Legislature of  
4                   Louisiana on how to approach the display of historical documents.

5                   (6) The Legislature of Louisiana now endorses the prolongation of a  
6                   uniform, sound, distinct, and appropriate presentation of the story of the role  
7                   of religion in the constitutional history of America and Louisiana, which may  
8                   be publically displayed in court houses and other state and local buildings  
9                   throughout the state of Louisiana.

10                   §1281. Public displays of religious history impacting the law

11                   A. Public displays with acknowledged religious history may include, but  
12                   shall not be limited to, the items in this Section.

13                   B. The Mayflower Compact, written and adopted in 1620, the text which  
14                   reads as follows:

15                                   Mayflower Compact (1620 A.D.)

16                                   Agreement Between the Settlers at New Plymouth: 1620

17                   IN THE NAME OF GOD, AMEN. We, whose names are underwritten,  
18                   the Loyal Subjects of our dread Sovereign Lord, King James, by the Grace of  
19                   God, of Great Britain, France, and Ireland, King, Defender of the Faith.  
20                   Having undertaken for the Glory of God, and Advancement of the Christian  
21                   Faith, and the Honour of our King and Country, a voyage to plant the first  
22                   colony in the northern Parts of Virginia; do by these presents, solemnly and  
23                   mutually, in the Presence of God and one another, covenant and combine  
24                   ourselves together into a civil Body Politick, for our better Ordering and  
25                   Preservation, and Furtherance of the Ends aforesaid: And by Virtue hereof do  
26                   enact, constitute, and frame, such just and equal Laws, Ordinances, Acts,  
27                   Constitutions and Offices, from time to time, as shall be thought most meet and  
28                   convenient for the General good of the Colony; unto which we promise all due  
29                   submission and obedience. In Witness whereof we have hereunto subscribed  
30                   our names at Cape Cod the eleventh of November, in the Reign of our Sovereign

1 Lord King James, of England, France, and Ireland, the eighteenth, and of  
2 Scotland the fifty-fourth, Anno Domini; 1620.

3 C. The Ten Commandments, as extracted from the Bible.

4 D. The Declaration of Independence, adopted by Congress on July 4,  
5 1776, the text of which reads as follows:

6 The Declaration of Independence.

7 IN CONGRESS, July 4, 1776

8 The unanimous Declaration of the thirteen United States of America.

9 When in the Course of human events, it becomes necessary for one  
10 people to dissolve the political bands which have connected them with another,  
11 and to assume among the powers of the earth, the separate and equal station to  
12 which the Laws of Nature and of Nature's God entitle them, a decent respect to  
13 the opinions of mankind requires that they should declare the causes which  
14 impel them to the separation.

15 We hold these truths to be self-evident, that all men are created equal,  
16 that they are endowed by their Creator with certain unalienable Rights, that  
17 among these are Life, Liberty and the pursuit of Happiness, -- That to secure  
18 these rights, Governments are instituted among Men, deriving their just powers  
19 from the consent of the governed, -- That whenever any Form of Government  
20 becomes destructive of these ends, it is the Right of the People to alter or to  
21 abolish it, and to institute new Government, laying its foundation on such  
22 principles and organizing its powers in such form, as to them shall seem most  
23 likely to effect their Safety and Happiness. Prudence, indeed, will dictate that  
24 Governments long established should not be changed for light and transient  
25 causes; and accordingly all experience hath shewn, that mankind are more  
26 disposed to suffer, while evils are sufferable, than to right themselves by  
27 abolishing the forms to which they are accustomed. But when a long train of  
28 abuses and usurpations, pursuing invariably the same Object evinces a design  
29 to reduce them under absolute Despotism, it is their right, it is their duty, to  
30 throw off such Government, and to provide new Guards for their future

1        security. -- Such has been the patient sufferance of these Colonies; and such is  
2        now the necessity which constrains them to alter their former Systems of  
3        Government. The history of the present King of Great Britain is a history of  
4        repeated injuries and usurpations, all having in direct object the establishment  
5        of an absolute Tyranny over these States. To prove this, let Facts be submitted  
6        to a candid world.

7                He has refused his Assent to Laws, the most wholesome and necessary  
8        for the public good.

9                He has forbidden his Governors to pass Laws of immediate and pressing  
10        importance, unless suspended in their operation till his Assent should be  
11        obtained; and when so suspended, he has utterly neglected to attend to them.

12               He has refused to pass other Laws for the accommodation of large  
13        districts of people, unless those people would relinquish the right of  
14        Representation in the Legislature, a right inestimable to them and formidable  
15        to tyrants only.

16               He has called together legislative bodies at places unusual,  
17        uncomfortable, and distant from the depository of their public Records, for the  
18        sole purpose of fatiguing them into compliance with his measures.

19               He has dissolved Representative Houses repeatedly, for opposing with  
20        manly firmness his invasions on the rights of the people.

21               He has refused for a long time, after such dissolutions, to cause others to  
22        be elected; whereby the Legislative powers, incapable of Annihilation, have  
23        returned to the People at large for their exercise; the State remaining in the  
24        mean time exposed to all the dangers of invasion from without, and convulsions  
25        within.

26               He has endeavoured to prevent the population of these States; for that  
27        purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass  
28        others to encourage their migrations hither, and raising the conditions of new  
29        Appropriations of Lands.

30               He has obstructed the Administration of Justice, by refusing his Assent

1 to Laws for establishing Judiciary powers.

2 He has made Judges dependent on his Will alone, for the tenure of their  
3 offices, and the amount and payment of their salaries.

4 He has erected a multitude of New Offices, and sent hither swarms of  
5 Officers to harrass our people, and eat out their substance.

6 He has kept among us, in times of peace, Standing Armies without the  
7 Consent of our legislatures.

8 He has affected to render the Military independent of and superior to the  
9 Civil power.

10 He has combined with others to subject us to a jurisdiction foreign to our  
11 constitution, and unacknowledged by our laws; giving his Assent to their Acts  
12 of pretended Legislation:

13 For Quartering large bodies of armed troops among us.

14 For protecting them, by a mock Trial, from punishment for any Murders  
15 which they should commit on the Inhabitants of these States.

16 For cutting off our Trade with all parts of the world.

17 For imposing Taxes on us without our Consent.

18 For depriving us in many cases, of the benefits of Trial by jury.

19 For transporting us beyond Seas to be tried for pretended offences.

20 For abolishing the free System of English Laws in a neighbouring  
21 Province, establishing therein an Arbitrary government, and enlarging its  
22 Boundaries so as to render it at once an example and fit instrument for  
23 introducing the same absolute rule into these Colonies.

24 For taking away our Charters, abolishing our most valuable Laws, and  
25 altering fundamentally the Forms of our Government.

26 For suspending our own Legislatures, and declaring themselves invested  
27 with power to legislate for us in all cases whatsoever.

28 He has abdicated Government here, by declaring us out of his Protection  
29 and waging War against us.

30 He has plundered our seas, ravaged our Coasts, burnt our towns, and

1        destroyed the lives of our people.

2                He is at this time transporting large Armies of foreign Mercenaries to  
3        compleat the works of death, desolation and tyranny, already begun with  
4        circumstances of Cruelty and perfidy scarcely paralleled in the most barbarous  
5        ages, and totally unworthy the Head of a civilized nation.

6                He has constrained our fellow Citizens taken Captive on the high Seas  
7        to bear Arms against their Country, to become the executioners of their friends  
8        and Brethren, or to fall themselves by their Hands.

9                He has excited domestic insurrections amongst us, and has endeavoured  
10       to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose  
11       known rule of warfare, is an undistinguished destruction of all ages, sexes and  
12       conditions.

13               In every stage of these Oppressions We have Petitioned for Redress in  
14       the most humble terms; Our repeated Petitions have been answered only by  
15       repeated injury. A Prince whose character is thus marked by every act which  
16       may define a Tyrant, is unfit to be the ruler of a free people.

17               Nor have We been wanting in attentions to our Brittish brethren. We  
18       have warned them from time to time of attempts by their legislature to extend  
19       an unwarrantable jurisdiction over us. We have reminded them of the  
20       circumstances of our emigration and settlement here. We have appealed to  
21       their native justice and magnanimity, and we have conjured them by the ties of  
22       our common kindred to disavow these usurpations, which, would inevitably  
23       interrupt our connections and correspondence. They too have been deaf to the  
24       voice of justice and of consanguinity. We must, therefore, acquiesce in the  
25       necessity, which denounces our separation, and hold them, as we would the rest  
26       of mankind, Enemies in War, in Peace Friends.

27               We, therefore, the Representatives of the United States of America, in  
28       General Congress, Assembled, appealing to the Supreme Judge of the world for  
29       the rectitude of our intentions, do, in the Name, and by Authority of the good  
30       People of these Colonies, solemnly publish and declare, That these United

1 Colonies are, and of Right ought to be Free and Independent States; that they  
2 are Absolved from all Allegiance to the British Crown, and that all political  
3 connection between them and the State of Great Britain, is and ought to be  
4 totally dissolved; and that as Free and independent States, they have full Power  
5 to levy War, conclude Peace, contract Alliances, establish Commerce, and to do  
6 all other Acts and Things which Independent States may of right do. And for  
7 the support of this Declaration, with a firm reliance on the protection of divine  
8 Providence, we mutually pledge to each other our Lives, our Fortunes and our  
9 sacred Honor.

10 E. Articles I through VI of the Northwest Ordinance enacted by  
11 Congress on July 13, 1787, which prohibited slavery in the new territories and  
12 which stated that "religion, morality, and knowledge as being necessary for  
13 good government and the happiness of mankind" and which text reads as  
14 follows:

15 Article I

16 No person, demeaning himself in a peaceable and orderly manner shall  
17 ever be molested on account of his mode of worship or religious sentiments, in  
18 the said territory.

19 Article II

20 The inhabitants of the said territory shall always be entitled to the  
21 benefits of the writ of habeas corpus, and of the trial by jury; of a proportionate  
22 representation of the people in the legislature; and of judicial proceedings  
23 according to the course of the common law. All persons shall beailable, unless  
24 for capital offenses, where the proof shall be evident or the presumption great.  
25 All fines shall be moderate; and no cruel or unusual punishments shall be  
26 inflicted. No man shall be deprived of his liberty or property, but by the  
27 judgment of his peers or the law of the land; and, should the public exigencies  
28 make it necessary, for the common preservation, to take any person's property,  
29 or to demand his particular services, full compensation shall be made for the  
30 same. And, in the just preservation of rights and property, it is understood and

1 declared, that no law ought ever to be made, or have force in the said territory,  
2 that shall, in any manner whatever, interfere with or affect private contracts or  
3 engagements, bona fide, and without fraud, previously formed.

4 Article III

5 Religion, morality, and knowledge, being necessary to good government  
6 and the happiness of mankind, schools and the means of education shall forever  
7 be encouraged. The utmost good faith shall always be observed towards the  
8 Indians; their lands and property shall never be taken from them without their  
9 consent; and, in their property, rights, and liberty, they shall never be invaded  
10 or disturbed, unless in just and lawful wars authorized by Congress; but laws  
11 founded in justice and humanity, shall from time to time be made for  
12 preventing wrongs being done to them, and for preserving peace and friendship  
13 with them.

14 Article IV

15 The said territory, and the States which may be formed therein, shall  
16 forever remain a part of this Confederacy of the United States of America,  
17 subject to the Articles of Confederation, and to such alterations therein as shall  
18 be constitutionally made; and to all the acts and ordinances of the United States  
19 in Congress assembled, conformable thereto. The inhabitants and settlers in  
20 the said territory shall be subject to pay a part of the federal debts contracted  
21 or to be contracted, and a proportional part of the expenses of government, to  
22 be apportioned on them by Congress according to the same common rule and  
23 measure by which apportionments thereof shall be made on the other States;  
24 and the taxes for paying their proportion shall be laid and levied by the  
25 authority and direction of the legislatures of the district or districts, or new  
26 States, as in the original States, within the time agreed upon by the United  
27 States in Congress assembled. The legislatures of those districts or new States,  
28 shall never interfere with the primary disposal of the soil by the United States  
29 in Congress assembled, nor with any regulations Congress may find necessary  
30 for securing the title in such soil to the bona fide purchasers. No tax shall be

1 imposed on lands the property of the United States; and, in no case, shall  
2 nonresident proprietors be taxed higher than residents. The navigable waters  
3 leading into the Mississippi and St. Lawrence, and the carrying places between  
4 the same, shall be common highways and forever free, as well to the inhabitants  
5 of the said territory as to the citizens of the United States, and those of any other  
6 States that may be admitted into the confederacy, without any tax, impost, or  
7 duty therefor.

8 Article V

9 There shall be formed in the said territory, not less than three nor more  
10 than five States; and the boundaries of the States, as soon as Virginia shall alter  
11 her act of cession, and consent to the same, shall become fixed and established  
12 as follows, to wit: The western State in the said territory, shall be bounded by  
13 the Mississippi, the Ohio, and Wabash Rivers; a direct line drawn from the  
14 Wabash and Post Vincents, due North, to the territorial line between the United  
15 States and Canada; and, by the said territorial line, to the Lake of the Woods  
16 and Mississippi. The middle State shall be bounded by the said direct line, the  
17 Wabash from Post Vincents to the Ohio, by the Ohio, by a direct line, drawn  
18 due north from the mouth of the Great Miami, to the said territorial line, and  
19 by the said territorial line. The eastern State shall be bounded by the last  
20 mentioned direct line, the Ohio, Pennsylvania, and the said territorial line:  
21 Provided, however, and it is further understood and declared, that the  
22 boundaries of these three States shall be subject so far to be altered, that, if  
23 Congress shall hereafter find it expedient, they shall have authority to form one  
24 or two States in that part of the said territory which lies north of an east and  
25 west line drawn through the southerly bend or extreme of Lake Michigan. And,  
26 whenever any of the said States shall have sixty thousand free inhabitants  
27 therein, such State shall be admitted, by its delegates, into the Congress of the  
28 United States, on an equal footing with the original States in all respects  
29 whatever, and shall be at liberty to form a permanent constitution and State  
30 government: Provided, the constitution and government so to be formed, shall

1 be republican, and in conformity to the principles contained in these articles;  
2 and, so far as it can be consistent with the general interest of the confederacy,  
3 such admission shall be allowed at an earlier period, and when there may be a  
4 less number of free inhabitants in the State than sixty thousand.

5 Article VI

6 There shall be neither slavery nor involuntary servitude in the said  
7 territory, otherwise than in the punishment of crimes whereof the party shall  
8 have been duly convicted: Provided, always, That any person escaping into the  
9 same, from whom labor or service is lawfully claimed in any one of the original  
10 States, such fugitive may be lawfully reclaimed and conveyed to the person  
11 claiming his or her labor or service as aforesaid.

12 §1282. Context of public display

13 Public displays set forth in R.S. 25:1281(B), (C), (D), and (E) shall be  
14 accompanied by a document entitled "Context for Acknowledging America's  
15 Religious History" which shall read as follows:

16 (1) Some documents stand out as pivotal in the religious history of  
17 America and Louisiana's legal system, among which are the Mayflower  
18 Compact, The Declaration of Independence as a legal foundation for the United  
19 States Constitution, the Ten Commandments as one of the foundations of our  
20 legal system, and the Northwest Ordinance, which was a primary document  
21 affirming faith and the first congressional act legally prohibiting slavery. It is  
22 hoped that their study and relation to each other and the history of our state  
23 and nation will foster an appreciation for the role that religion has played in the  
24 legal history of America and the state of Louisiana and prompt further public  
25 study.

26 (2) American law, constitutionalism, and political theory have deep roots  
27 in religion. American ideals about liberty, freedom, equality, legal  
28 responsibility and codes of law, to mention a few, have roots and underpinnings  
29 in religion and biblical literacy. The Ten Commandments, which are found in  
30 the Book of Exodus in the Old Testament of the Bible, was one of the earliest

1        written expressions of law to be incorporated in American legal systems. The  
 2        Ten Commandments, or the law of nature, also impacted the Declaration of  
 3        Independence which refers to the "laws of nature and of Nature's God."

4        §1283. Production of historical documents, display

5                A. The division of state archives and records service within the office of  
 6        the secretary of state shall, upon request, prepare and distribute to state offices,  
 7        clerks of court and judges and the local governing authorities in the state of  
 8        Louisiana, copies of the documents set forth in R.S. 25:1281 suitable for framing  
 9        and display, upon receipt of funds to reimburse the secretary for the actual cost  
 10        of the preparation and delivery of the documents.

11               B. Each state office, clerk of court, judge and local governing authority  
 12        is authorized to post the documents for display provided by the secretary in a  
 13        visible public location, along with other historical documents.

14               C. Nothing herein shall prohibit the state or local governing officers,  
 15        judges or clerks of court from reprinting the documents in R.S. 25:1281 or  
 16        accepting a donation of already printed documents for display in public  
 17        buildings.

\_\_\_\_\_  
 PRESIDENT OF THE SENATE

\_\_\_\_\_  
 SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_